IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1185 OF 2006

Shri Patiraj Shrinath Yadav ..Petitioner
Vs.
Shri Jagdeo Ramnath Tiwari ..Respondent

Mr. R.A. Thorat for petitioner.

CORAM: B.H. MARLAPALLE, J.

Date : March 14, 2007.

P.C.:

. Heard Mr. Thorat the learned counsel for the petitioner. This petition challenges the final decree passed by the Lower Appellate Court. In Writ Petition No. 4138 of 2006 by a reasoned order dated 24/8/2006 I have already taken a view that when a statutory remedy of Civil Revision Application under Section 115 of C.P.C. is available, a writ petition under Articles 226 and 227 of the Constitution need not be entertained.

. Hence, the writ petition is disposed as withdrawn with liberty to file a Civil Revision Application. Ad-interim order granted earlier to

continue for a period of two weeks. Annexures be returned. If such Civil Revision Application is presented within a period of four weeks from today the period of pendency of this petition shall be taken into consideration for condonation of delay, if any.

(B.H. Marlapalle,J.)